UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,972	04/05/2001	Wolfgang Klausberger	PD000010	4110

24498 7590 06/27/2005	EXAMINER	
THOMSON LICENSING INC.	TRAN, THAI Q	
PATENT OPERATIONS		
PO BOX 5312	ART UNIT	PAPER NUMBER
PRINCETON, NJ 08543-5312	2616	

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-16_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-16_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _05 April 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _4/5/01_.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Specification

1.   The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

2.   Claim11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

Claim 11 recites the limitation "means for assembling" in lines 1-2. There is

insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed
> publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4.   Claims 1-16 are rejected under 35 U.S.C. 102(a) as being anticipated by Lane

(US 6,031,960).

Regarding claim 1, Lane discloses a method for recording on a storage medium,

or replaying from a storage medium, data packets of a transport stream which data

packets belong to at least one specific program (Figs. 1-2), wherein said transport

stream originally includes data packets for a set of programs and wherein timestamps

are assigned to the data packets of said transport stream (col. 3, lines 40-58), wherein

said transport stream originally include data packets for a set of programs and wherein

timestamps are assigned to the data packets of said transport stream (PCR, PTS,

and/or DTS disclosed in col. 1, lines 41-60 and in col. 3, lines 40-58), the method

including the steps:

using for some of said recorded or replayed data packets of said specific

program original timestamps of corresponding data packets of said transport stream

(PCR base disclosed in col. 7, line 62 to col. 8, lines 33 or the PTS old disclosed in col.

15, lines 1-15);

using for remaining recorded or played specific program data packets

timestamps that are calculated using said original timestamps of said some data

packets of the specific program (corrected PCR, corrected PTS disclosed in col. 9, line

1 to col.10, line 30 and corrected PTS disclosed in col. 15, lines 1-22).

Regarding claim 2, Lane discloses the claimed wherein the replayed specific

program data packets are real-time output corresponding toe their original temporal

position in the original transport stream (spacing between PCRs and PTSs disclosed in

col. 16, lines 34-42).

Regarding claim 3, Lane discloses the claimed wherein said timestamp

calculation is performed for recording or is performed when replaying (bitstream

corrector circuit 109 disclosed in col. 3, lines 40-58 and the bitstream corrector circuit

220 disclosed in col. 4, lines 24-32).

Claim 4 is rejected for the same reasons as discussed in claim 3 above.

Regarding claim 5, Lane discloses the claimed wherein the original ones of said timestamps of the recorded or replayed specific program data packets do have a fixed temporal distance of a predetermined number of original packets in said transport stream (spacing between PCRs and PTSs disclosed in col. 16, lines 34-42).

Regarding claim 6, Lane discloses the claimed wherein the original ones of said timestamps of the recorded or replayed specific program data packets are selected from said transport stream using start_of_packet pulses which are set as 'valid' or 'invalid' (adaptation headers disclosed in col. 7, lines 40-55).

Regarding claim 7, Lane discloses the claimed wherein said transport stream is an MPEG2 transport stream (MPEG2 disclosed in col. 3, lines 40-55).

Regarding claim 8, Lane discloses the claimed wherein said specific program data packets are recorded or replayed using a DVD streamer device (optical disks disclosed in col. 3, lines 24-39).

Regarding claim 9, Lane discloses the claimed wherein said storage medium is an optical or opto-magnetic disc or a hard disc (optical disks disclosed in col. 3, lines 24-39).

Regarding claim 10, Lane discloses an apparatus for recording or replaying data packets of a transport stream (Figs. 1-2) which data packets belong to at least one specific program, wherein said transport stream originally includes data packets for a set of programs and wherein timestamps are assigned to the data packets of said transport stream (PCR, PTS, and/or DTS disclosed in col. 1, lines 41-60 and in col. 3, lines 40-58), the apparatus including:

means (the bitstream corrector circuit 109 disclosed in col. 3, lines 40-58 and

PCR base disclosed in col. 7, line 62 to col. 8, lines 33) for selecting from said transport

stream timestamps and data packets belonging to said specific program, wherein

timestamps for some of these data packets to be recorded are original timestamps of

corresponding data packets of said transport stream;

means (the bitstream corrector circuit 109 disclosed in col. 3, lines 40-58 and

corrected PCR, corrected PTS disclosed in col. 9, line 1 to col.10, line 30) for calculating

the timestamps for the remaining specific program data packets to be recorded, using

said original timestamps of said some data packets of the specific program;

means (recording of the normal play data and trick play data disclosed in col. 4,

lines 1-22) for assembling and recording said specific program data packets together

with said original and calculated timestamps on a storage medium;

means (playing back the recorded video signal disclosed in col. 4, lines 23-31)

for replaying the recorded specific program data packets together with said original

timestamps and said calculated timestamps;

means (a bitstream corrector circuit 220 of Fig. 2 disclosed in col. 4, lines 23-31)

for evaluating said original timestamps and said calculated timestamps;

means (decoder circuit disclosed in col. 5, line 45 to col. 6, lines 13) for

assembling – under control of said means for evaluating said original and calculated

timestamps – the replayed specific program data packets together with said original and

calculated timestamps, corresponding to their original temporal position in the original

transport stream.

Regarding claim 11, Lane discloses the claimed wherein said means for assembling output a real-time transport stream (the bitstream corrector circuit 109 disclosed in col. 3, lines 40-58).

Regarding claim 12, Lane discloses the claimed wherein the original ones of said timestamps of the recorded or replayed specific program data packets to have a fixed temporal distance of a predetermined number of original packets in said transport stream (spacing between PCRs and PTSs disclosed in col. 16, lines 34-42).

Regarding claim 13, Lane discloses the claimed wherein the original ones of said timestamps of the recorded or replayed specific program data packets are selected from said transport stream using start_of_packet pulses which are set as 'valid' or 'invalid' (PCR, PTS, and/or DTS disclosed in col. 1, lines 41-60 and in col. 3, lines 40-58 and adaptation headers disclosed in col. 7, lines 40-55).

Regarding claim 14, Lane discloses the claimed wherein said transport stream is an MPEG2 transport stream (MPEG2 disclosed in col. 3, lines 40-55).

Regarding claim 15, Lane discloses the claimed wherein said specific program data packets are recorded or replayed using a DVD Streamer device (optical disks disclosed in col. 3, lines 24-39).

Regarding claim 16, Lane discloses the claimed wherein said storage medium is an optical or opto-magnetic disc or a hard disc (optical disks disclosed in col. 3, lines 24-39).

5.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
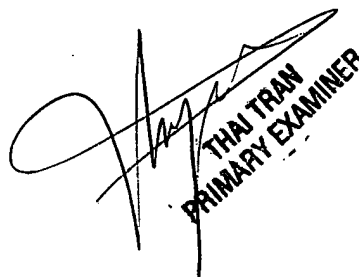
The cited references relate to timestamps of MPEG2.

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (571) 272-7382. The examiner can normally be reached on Mon. to Friday, 8:00 AM to 5:30 PM.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTQ